



# CITY OF LODI

PUBLIC WORKS DEPARTMENT

## COUNCIL COMMUNICATION

TO: City Council

FROM: City Manager

MEETING DATE: January 17, 1990

AGENDA TITLE: Woman's Club Request for Removal of Ginkgo Tree,  
325 West Pine Street

**RECOMMENDED ACTION:** That the City Council review the Woman's Club request, the existing City Tree Policy (Resolution No. 43C4), and the data in this Council Communication and determine whether to:

1. Deny the request.
2. Share the cost of tree removal.
3. Approve the request and waive the policy because the Woman's Club is a nonprofit organization.
4. Approve the request by changing the Tree Policy.

**BACKGROUND INFORMATION:** At the City Council meeting of December 6, 1989, Jean Beckman, under "Comments from the Public on Non-Agenda Items", requested the City Council to consider the removal of the fruit-bearing ginkgo tree fronting the Woman's Club. The matter was referred to staff for discussion at a future Council meeting.

There are presently two ginkgo trees fronting the Woman's Club and three fronting the Masonic Temple. Of these five trees, only one is fruit-bearing and it is located in front of the Woman's Club.

Toward the end of the last calendar year, the Woman's Club contacted the Street Superintendent, Glen Baltzer, requesting the City to remove the fruit-bearing ginkgo tree fronting their facility on Pine Street. Mr. Baltzer shared with them that under the existing Tree Policy adopted by the City Council, the tree could be removed because of the nuisance that the dropping fruit made; however, the cost of the removal was the responsibility of the owner. The City would replant a tree at no cost to the owner. Attached is a copy of the letter from the Street Superintendent, together with the City's adopted Tree Policy. The cost for the City to remove the tree will be approximately \$250.00.

I then received a letter from the Woman's Club (copy attached), making the same request, that the City remove the tree at no cost to the Woman's Club.

APPROVED:

  
THOMAS A. PETERSON, City Manager

FILE NO.

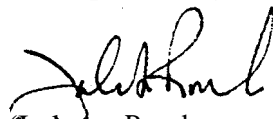
City Council  
Gingko Tree  
January 17, 1990  
Page 2

I responded with the attached letter dated November 21, 1989, again indicating the City's Tree Policy. With respect to this specific situation, the policy was very clear and I did not feel I had the authority to remove the tree at City expense. I suggested that if they wanted to take this matter further, they should make a request directly to the City Council.

The dropping gingko fruit is a nuisance and a possible hazard to pedestrians. Therefore, the subject tree can be removed under Item 11-8-1 of the adopted Tree Policy. It appears the Council has the following four alternatives:

1. Deny the request.
2. Share the cost of tree removal.
3. Approve the request and waive the policy because the Woman's Club is a nonprofit organization.
4. Approve the request by changing the Tree Policy.

Staff does not feel that the policy should be changed. If the Council does want to approve the request, it is recommended that they be given a waiver as a nonprofit organization.



Jack J. Ronsko  
Public Works Director

JLR/mt

Attachments

cc: City Attorney  
Street Superintendent  
Woman's Club

GIN COUNCIL

JOHN R. (Randy) SNIDER Mayor  
DAVID M. HINCHMAN  
Mayor Pro Tempore  
EVELYN M. OLSON  
JAMES W. PINKERTON, Jr.  
FRED M. REID

# CITY OF LODI

CITY HALL 221 WEST PINE STREET  
CALL BOX 3006  
LODI, CALIFORNIA 95241-1910  
(209) 334-5634  
TELECOPIER: (209) 333-6795

THOMAS A. PETERSON  
City Manager  
ALICE M. REIMCHE  
City Clerk  
BOB McNATT  
City Attorney

October 16, 1989


Women's Club  
Attention: Ms. Jill Neri  
325 West Pine Street  
Lodi, CA 95240

SUBJECT: Request for Removal of City Tree,  
Women's Club, 325 West Pine Street

This letter confirms our telephone conversation today regarding the removal of a fruit-bearing ginkgo tree at 325 West Pine Street.

In accordance with the tree policy adopted December 15, 1976, removal of the tree would be the responsibility and expense of the property owner after issuance of an encroachment permit by the Public Works Department. A copy of the tree policy is enclosed.

if you have any questions after reviewing the tree policy, please feel free to contact me at 333-6740.

  
J. C. Bates  
Street Superintendent  
Street Superinte:

GB/pa

Enclosure

cc: Public Works Director

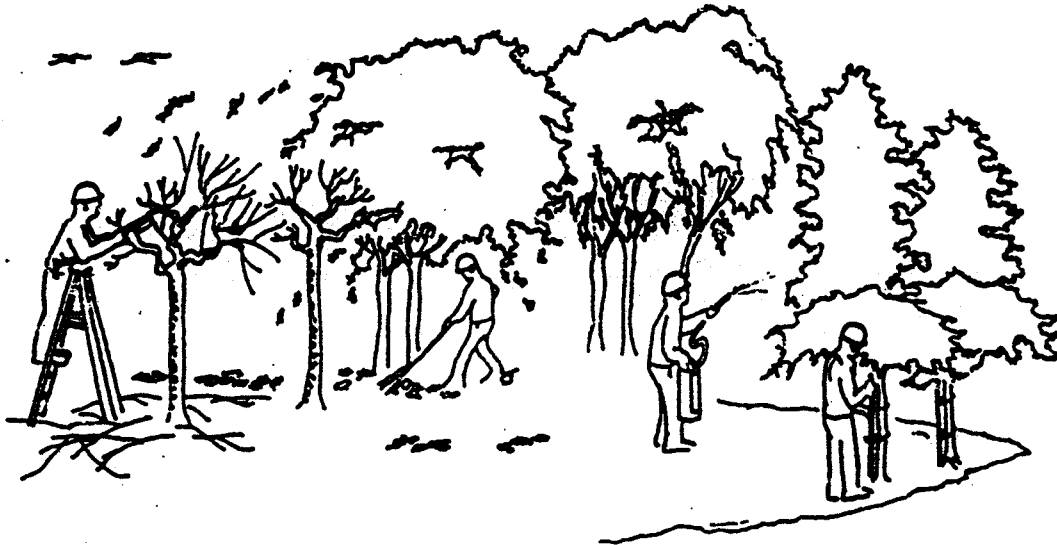
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# CITY OF LODI

PUBLIC WORKS DEPARTMENT

## TREE POLICY



### I. GENERAL

Trees which are 50% or more within the public right of way shall be considered City trees. This measurement shall be taken at the base of the trunk at the ground surface.

The City of Lodi is responsible for caring for all City trees within the public right of way including trimming, spraying, general maintenance and performing root surgery where property owner is replacing sidewalk and existing sidewalk is removed by property owner.

Property owners are responsible for any required watering of newly planted trees in parkways.

The City is not responsible for maintenance of non-City trees.

Property owners and City personnel are not allowed to remove or alter any City trees unless one of the criteria listed below is met or special approval is received from the City Council.

### II. TREE REMOVAL

A. City Responsibility - The City will remove a City tree at its expense when:

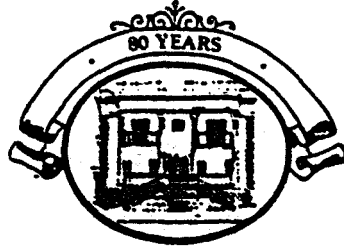
1. Tree is dead;
2. Tree is diseased beyond cure;
3. Tree is hazardous to the public or necessary root surgery would render it hazardous;
4. Tree conflicts with sidewalk to be installed by property owners on parcels where curb and gutter is in place;
5. Tree removal is necessary for a City improvement project; or
6. Tree causes repeated extensive damage to utilities or curb, gutter and sidewalk.

B. Property Owner Responsibility - With the issuance of an encroachment permit by the Public Works Department, a tree within the public right of way may be removed under the following conditions at the property owner's expense:

1. Trees bearing fruit and causing a nuisance to the property owner may be removed. Trees in parkways will be replaced at City's expense as part of its tree planting program.
2. Trees may be removed to widen existing driveway or to construct a new driveway. Trees in parkways will be replaced at City's expense as part of its tree planting program.
3. Tree may be removed when less than 50% of the tree is within public right of way.
4. Trees may be removed as part of an approved development where curbs and gutters do not exist.

  
 Jack L. Ronsko  
 Public Works Director

Resolution No. 4304 adopted by the City Council at their meeting of December 15, 1976.



## The Woman's Club of Lodi

325 W. Pine Street • Lodi, California 95240 • Telephone (209) 368-4310  
November 13, 1989

# RECEIVED

NOV 14 1989



CITY OF LODI  
PUBLIC WORKS DEPARTMENT

Mr. Jack Ronsko  
City of Lodi  
Call Box 3006  
Lodi, Ca 95241

Dear Jack:

As a member of the Woman's Club of Lodi Board of Directors House Committee, I have been asked to take over for Jill Neri in her correspondence with Glen Baltzer regarding the matter of the fruit-bearing ginkgo tree in front of the Woman's Clubhouse.

It is our fervent desire to have this tree, which is hazardous to the public during its fruit bearing season, removed without an expense to the Woman's Club.

I am sure you are aware of the many beneficial ways our club contributes to the city and we would indeed be unhappy if some of our hard-earned funds had to be used for this expense.

Is there any possible way the City of Lodi could handle this removal and replanting of another tree for us? We would appreciate any advice or help you can offer in this matter.

Since the problem is over for this year it is not necessary that anything be done immediately, but we would like the assurance that it could be handled over the next few months.

I hope you enjoyed our Prayer Breakfast and Lenor Madruga. She spoke to my Soroptimist Club some years ago when she was still in Tracy. It was fortunate we were able to locate here and that she was willing to come to Lodi.

Would appreciate hearing from you in the near future regarding this matter.

Sincerely yours,

Jean Beckman

GENERAL FEDERATION OF WOMEN'S CLUBS



**CITY COUNCIL**

JOHN R. (Randy) SNIDER, Mayor  
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THOMAS A. PETERSON  
City Manager  
ALICE M. REIMCHE  
City Clerk  
BOB MCNATT  
City Attorney

November 21, 1989

The Woman's Club of Lodi  
Attention: Jean Beckman  
325 W. Pine Street  
Lodi, CA 95240

SUBJECT: Removal of Gingko Trees

In response to your attached letter of November 13, 1989, I have also enclosed a copy of the City of Lodi's Tree Policy. This policy was adopted by resolution of the City Council in 1976.

Under Section II-B-1, it is clear that it is the property owner's responsibility to remove fruit bearing trees. Once the tree is removed, the City will replace the tree, upon request, at no cost to the property owner. Since this is a policy which is approved by the City Council I cannot in any capacity make any variances. If you feel the City should be responsible for removing the tree, your request should be made directly to the City Council.

I am sorry that I cannot be of any more help in this matter.

  
Jack L. Ronsko  
Public Works Director

JLR/mt

Enclosures

cc: City Manager  
Street Superintendent